



# BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

## A G E N D A

JANUARY 8, 2007

*Commissioner Joe Ford, Chairman  
Commissioner David Lillard, Chairman Pro Tempore  
Commissioner Joyce Avery  
Commissioner Henri E. Brooks  
Commissioner Wyatt Bunker  
Commissioner Mike Carpenter  
Commissioner Sidney Chism*

*Commissioner George Flinn  
Commissioner J.W. Gibson II  
Commissioner James Harvey  
Commissioner Deidre Malone  
Commissioner Steve Mulroy  
Commissioner Mike Ritz*

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**2:30 P.M.**

**COMMISSION CONVENES**

**CALL TO ORDER**

**Deputy Sheriff Orlando Freeman**

**INVOCATION**

**Dr. Dwight Montgomery  
Annesdale Cherokee Baptist Church**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Approval of Minutes of Previous Session**

**MALONE  
ADOPTED**

**December 4, 2006**

## **C O N S E N T   A G E N D A**

**Resolutions of Memorial, Sympathy and Commendation**

**Ordinances**

**MALONE  
APPROVED**

1. **ORDINANCE – FIRST READING** – An Ordinance to adopt Supplement No. 30 to the Code of Shelby County, Tennessee.

**MALONE  
APPROVED**

2. **ORDINANCE – FIRST READING** – An Ordinance to amend Section 2-57, Subsection J of the Shelby County Code of Ordinances relative to the identity of the *Record Keeper of County Contracts*.

**CHISM  
APPROVED**

3. **ORDINANCE – SECOND READING** - An Ordinance to amend Ordinance No. 41 entitled “Ordinance amending Section 10 of Shelby County Ordinance No. 13 in order to change the location of the Court from the Shelby County Criminal Justice Complex at 201 Poplar Avenue to the Shelby County Courthouse or any other location wherein the General Sessions Court of Shelby County is in session, relative to ordinance violations.”

**Zoning and Subdivisions**

**Reports and/or Resolutions of Standing Committees**

**MALONE  
ADOPTED**

4. Resolution approving the sale of six delinquent tax parcels from Tax Sale(s) 0005, 41, 54, 95.2, 97.3, and 101 pursuant to the provisions of the Tennessee Code Annotated, Section 67-5-2507.

**MALONE  
ADOPTED**

5. Resolution approving the sale of eighteen delinquent tax parcels from Tax Sale(s) 0005, 101, 102, 49, 50, 51, 83.1, 89.2, 89.7 and 92.1 pursuant to the provisions of the Tennessee Code Annotated 67-5-2507.

**MALONE  
ADOPTED**

6. Resolution amending the FY 2007 Operating Budget; approving a U.S. Geological Survey Grant Agreement between Shelby County Government and the U.S. Department of the Interior.

**MALONE  
ADOPTED**

7. Resolution approving expenditure of funds in the amount of \$56,049.45 to Business Forms & Systems, Inc., for the purchase of Snap-out and Continuous forms for various departments of Shelby County Government.

**MALONE  
ADOPTED**

8. Resolution to approve expenditure of funds to Forms World, Inc., for a total amount of \$62,370.00 for the purchase of computer paper for the period January 1, 2007 through June 30, 2007.

**MALONE  
(REMOVED  
TO REGULAR  
AGENDA)  
ADOPTED**

9. Resolution to approve an increase in county supplements for State Assistant District Attorney positions effective January 1, 2007 and to amend the FY 2007 Operating Budget and appropriate funds in the amount of \$135,000.00.

**LILLARD  
(DEFERRED  
TO 01/22/07)**

10. Resolution authorizing Amendment Nos. 5 and 6 to Contract No. CA992518 with Fisher & Arnold, Inc., for the environmental approval and design of Fite Road from U.S. Highway 51 to Woodstock Boulevard and a bridge over the CNIC Railroad and to designate funds in the amount of \$36,566.00 from Encumbrance No. S007121 for Amendments 5 and 6.

<b>LILLARD (DEFERRED TO 01/22/07)</b>	<b>11.</b>	<b>Resolution approving expenditure of funds by Shelby County Government to Panther Oil Company for the purchase of forty thousand (40,000) gallons of bio-diesel product in the amount of \$79,200.00.</b>
<b>LILLARD ADOPTED</b>	<b>12.</b>	<b>Resolution to approve expenditure of funds by Shelby County Government to Altec Industries for the purchase of a truck diesel equipped with 70 foot aerial boom in the amount of \$139,717.00.</b>
<b>LILLARD ADOPTED</b>	<b>13.</b>	<b>Resolution approving expenditure of funds by Shelby County Government to Nortrax Equipment Company for the purchase of a hydraulic track excavator in the amount of \$255,750.00, a rubber tire wheel loader in the amount of \$111,250.00 and a Gradall (4100 model) in the amount of \$253,440.00 for a total of \$620,440.00.</b>
<b>LILLARD ADOPTED</b>	<b>14.</b>	<b>Resolution approving expenditure of funds by Shelby County Government to Dandridge Equipment Company for the purchase of two 75 PTO horsepower tractors with hydraulic driven side winder mowers in the amount of \$90,240.00.</b>
<b>AVERY (DEFERRED TO 01/22/07)</b>	<b>15.</b>	<b>Resolution requesting that the charter of the MED be amended to add the chairman of this commission's Hospitals and Health Committee as an ex-officio non-voting member to the MED's board.</b>
<b>AVERY ADOPTED</b>	<b>16.</b>	<b>Resolution approving the contract between Shelby County Government and the Regional Medical Center in the amount of \$285,818.00 to provide emergency medical and psychiatric assessment and detoxification program services to homeless individuals and amending the Shelby County FY 2006/2007 Operating Budget.</b>
<b>CHISM (DEFERRED TO 01/22/07)</b>	<b>17.</b>	<b>Resolution awarding the bid in the amount of \$165,420.00 to Chestnut Ridge Foam, Inc. for the purchase of foam mattress cores for the Shelby County Division of Corrections.</b>
<b>CHISM (REMOVED TO REGULAR AGENDA) ADOPTED AS AMENDED</b>	<b>18.</b>	<b>Resolution approving the expenditure of funds in an amount not to exceed \$1,369,650.00 to procure vehicles needed for the Shelby County Sheriff's Office Fleet.</b>
<b>CHISM ADOPTED</b>	<b>19.</b>	<b>Resolution approving a contract with Dillard Door and Security, Inc., to purchase an integrated surveillance and access control system by the Shelby County Government in the amount of \$193,779.00 for the Sheriff's office.</b>

CHISM  
ADOPTED

20. Resolution appropriating funds in the amount of \$130,338.95 to purchase seven new 2007 Harley Davidson Police Motorcycles for the Shelby County Sheriff's Office.

FLINN  
ADOPTED

21. Resolution approving the Delegate Contract between Shelby County Government on behalf of Shelby County Head Start and *Goodwill Homes Community Services, Inc.* for the grant year January 1, 2007 through December 31, 2007.

FLINN  
ADOPTED

22. Resolution approving the Delegate Contract between Shelby County Government on behalf of Shelby County Head Start and *Primary Preparatory, Inc.* for the grant year January 1, 2007 through December 31, 2007.

FLINN  
ADOPTED

23. Resolution approving the Delegate Contract between Shelby County Government on behalf of Shelby County Head Start and the YMCA of Memphis and the Mid-South for the grant year January 1, 2007 through December 31, 2007.

MULROY  
ADOPTED

CONSENT AGENDA

## ***REGULAR AGENDA***

### **Elections, Appointments, and Confirmations**

BROOKS  
ADOPTED

24. Resolution approving the county mayor's nomination of Dr. Morris W. Ray and Joseph Webb for appointment to the Shelby County *Healthcare Corporation*.

BROOKS  
ADOPTED

25. Resolution approving the county mayor's nomination of Dr. Helen Broughton for appointment to the Memphis and Shelby County *Air Pollution Control Board*.

### **Ordinances**

### **Zoning and Subdivisions**

### **Reports and/or Resolutions for Standing Committees**

CHISM  
WITHDRAWN

26. Resolution naming the building located at 616 Adams Avenue the "Kenneth A. Turner Juvenile Justice Center".

**BROOKS  
(DEFERRED  
TO 02/19/07)**

27. Resolution adopting new rules and regulations and bylaws, including membership requirements, for the new Beer Board; and directing the Shelby County Board of Commissioners to proceed with the appointment of new members to the new Beer Board.

**BROOKS  
ADOPTED**

- 27A. Resolution requesting that any nomination by the County Mayor's Office for a member of a Shelby County Board, Authority or Commission position adequately reflect the ethnic diversity of the Shelby County Community.

**MULROY  
(DEFERRED  
TO 02/05/07)**

28. Resolution approving proposed legislation and requesting the Shelby County Legislative Delegation to introduce and support a legislative bill entitled "An Act to amend Tennessee Code Annotated, Title 49, Chapter 3, Section 315 (5) to authorize the County Trustee to distribute capital funds as prescribed by the county legislative body for specified periods without adhering to the Average Daily Attendance distribution requirement provided that the total distribution of funds at the end for he specified period equals the *Average Daily Attendance distribution of funds*.

**MULROY  
(DEFERRED  
TO 02/05/07)**

29. Resolution approving proposed legislation and requesting the Shelby County Legislative Delegation to introduce and support a legislative bill entitled "An Act to amend Tennessee Code Annotated, Title 49, Chapter 3, Section 1003 (c) (1) to authorize the County Trustee to distribute capital funds as prescribed by the county legislative body for specified periods without adhering to the Average Daily Attendance distribution requirement provided that the total distribution of funds at the end for he specified period equals the *Average Daily Attendance distribution of funds*.

**MULROY  
(DEFERRED  
TO 01/22/07)**

30. Resolution approving proposed legislation and requesting the Shelby County Legislative Delegation to introduce and support a legislative bill entitled "An Act to amend Tennessee Code Annotated, Title 8, Chapter 20, Section 120, relative to *Sheriff's Departments – Funding – Salaries and Employees*."

**MULROY  
(DEFERRED  
TO 01/22/07)**

31. Resolution by the Board of County Commissioners of Shelby County, Tennessee requesting the Tennessee General Assembly enact legislation bringing Shelby County Government elected officials and covered employees within the reporting and enforcement regime set forth in the "Comprehensive Governmental Ethics Reform Act of 2006."

#### **Announcements/Statements**

#### **Adjournment**

**MULROY  
ADOPTED**

32. Resolution of Adjournment to Monday, January 22, 2007, at 2:30 p.m.

[If you have any questions about this agenda, please call Steve Summerall, Chief Administrator, at 545-4301]